

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-06 EA-06 NEA-10 IO-10

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NSAE-00 FAA-00 PM-03 H-02 L-03 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 /107 W

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P 202001Z JUN 75

FM AMCONSUL MONTREAL

TO SECSTATE WASHDC PRIORITY 6416

LIMITED OFFICIAL USE SECTION 1 OF 2 MONTREAL 1053

FROM USREP ICAO

E. O. 11652: N/A

TAGS: PORG, EAIR, ICAO

SUBJ: ICAO - COUNCIL MEETING ON ELECTION PRESIDENT (C/OB 85/6)

REF A) STATE 0141376; B) MONTREAL 0944; C) MONTREAL 0992

1. SUMMARY: FOUR HOURS DELIBERATION ON CWP 6199 (PROCEDURES RE ELECTION OF PRESIDENT) RESULTED IN DECISION TO SEND LETTER IN APPENDIX B OF WP. VOTE WAS 14/0/14. LETTER INFORMS STATES OF PRESIDENT'S RESIGNATION AND COUNCIL'S INTENT TO ELECT NEW PRESIDENT BETWEEN 1 NOV AND 19 DEC 1975. BASIC ISSUE WAS WHETHER TO INFORM STATES OF SITUATION LEAVING IT IMPLICIT THAT ANY STATE MAY NOMINATE CANDIDATE -- OR TO INFORM ALL STATES AND ENCOURAGE NOMINATIONS. LATIN AMERICANS LEAD BLOC INCLUDING EUROPEANS AND ARABS TO LIMIT STATE LETTER; THE OPPOSITION LEAD BY CHINA PREFERRED REQUESTING NOMINATIONS, AND INCLUDED ASIA, AFRICA, SOVIET BLOC. MEETING MARKED BY POOR CHAIRMANSHIP (MEXICO) AND PROCEDURAL CONFUSION.

2. GENERAL DISCUSSION OF WP WAS OPENED BY TRINIDAD/TOBAGO WHO IMMEDIATELY AND DIRECTLY EXPRESSED PREFERENCE FOR ALTERNATIVE

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B) PAR 3, AND STATED AN OBLIGATION TO NOTIFY ALL REPEAT ALL

MEMBER STATES.

3. CHINA INTERVENED NEXT WITH LONG EXCELLENT EFFECTIVE STATEMENT. HE EMPHASIZED A) IMPORTANCE OF REPRESENTATIVE ROLE OF COUNCIL WITH RESPECT TO LARGE INCREASED MEMBERSHIP OF ICAO, AND NEED FOR CANDIDACY TO BE OPEN TO ALL STATES. "WE REPRESENT OUR GOVERNMENTS IN THEIR CAPACITY AS REPRESENTATIVES OF ALL MEMBERS". CITING RULE 6 HE MENTIONED THE 3-MONTH NOTICE/CLOSING DATE ETC. AND EXPRESSED THE NEED FOR SEEKING CANDIDATES OF HIGH INTEGRITY AND VAST EXPERIENCE. HE INDICATED THAT CHOICE WILL BE MADE BY COUNCIL FROM HOWEVER MANY CANDIDATES BUT ALL STATES SHOULD BE INVITED TO NOMINATE. B) CHINA THEN SUGGESTED THAT ICAO "TAKE UP A POLICY REVIEW OF THE ORGANIZATION, APPRAISING ITS ACCOMPLISHMENTS AND FAILURES, AND FORMULATING VIEWS IN THE LIGHT OF CHOOSING THE NEW PRESIDENT. THIS SHOULD BE DONE BEFORE THE CURRENT PRESIDENT LEAVES. HE SUGGESTED "TABLING CONTROVERSIES" IN PREPARATION FOR SELECTION OF THE NEW PRESIDENT. MENTIONING ICAO'S ANNUAL REPORT HE SUBTLY BUT DEFINITELY CRITICIZED IT BECAUSE IT REFLECTED THE "PERFORMANCE OF BIG AIRLINES", AND EMPHASIZED THE "POSITION OF BOG AIRLINES". HE INDICATED THAT ICAO SHOULD RISE ABOVE THIS APPROACH AND LOOK AT THE DEVELOPING AIRLINES' PROBLEMS WHICH HAVE BEEN NEGLECTED IN THE PAST. THE CHAIR, HOPING TO PUT ASIDE THIS REQUEST STATED THAT THE SUGGESTION WOULD BE "NOTED". THERE WAS NO OBJECTION.

4. NIGERIA THEN POINTED UP THE BASIC ISSUE: ALTERNATE 3.B DOES NOT ANTICIPATE NOMINATIONS FROM STATES. THE CHAIR RESPONDED THAT "IF INTERESTED" THEY CAN NOMINATE. THEN THERE ENSUED A 3 1/2 HOUR DISCUSSION AROUND AN "IMPLICIT" RIGHT TO NOMINATE IN APPENDIX B, AND THE "EXPLICIT" INVITATION TO NOMINATE IN APPENDIX C. SEVERAL STATES (FAVORING B AND MINIMIZING NUMBER OF CANDIDACIES) INTERPRETED 3.B) AS NOT PROHIBITING STATES FROM NOMINATING AND NOT EXCLUDING NOMINATIONS.

5. SENEGAL IN FIRST INTERVENTION SAW COUNCIL AS HAVING A DUTY TO ADVISE ALL STATES OF RESIGNATIONS AND ELECTIONS BETWEEN ASSEMBLIES. SAW PRESENT SITUATION AS NOT COVERED BY RULE 6 OR 8 BECAUSE BINAGHI IS NOT ILL OR INCAPACITATED. HE SUPPORTED CHINA'S SUGGESTION FOR "A POLICY REVIEW AND A LOOK AT HOW THE PRESIDENT IS ELECTED". HE ADVOCATED GIVING STATES A DEADLINE LIMITED OFFICIAL USE

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FOR NOMINATIONS. CANADA (WHO TOLD US REP HE WAS INSTRUCTED TO PLAY LOW PROFILE) SPOKE ON BEHALF OF APPENDIX B, JUMPED IN WITH A COMPROMISE TWO-STAGE PROCEDURE (INFORM STATES NOW, INVITE NOMINATIONS LATER IF NECESSARY), AND COMPLIMENTED CHINA'S SUGGESTION FOR AN ORGANIZATIONAL REVIEW WHICH HE SAID WOULD "BRING NEW BREATH INTO THE ORGANIZATION".

6. JAPAN SHARED CHINA'S VIEWS AND WANTED TO REQUEST NOMINATIONS

FROM ALL STATES THROUGH ALTERNATIVE E) AND APPENDIX C. KENYA SUPPORTED CHINA/JAPAN AND 3.C) (APPENDIX C.) ITALY PICKED UP ON CANADA'S TWO-STAGE SUGGESTION AND MEXICO FROM THE CHAIR SAW NOTHING TO PREVENT A "SECOND STAGE" IN SEPTEMBER.

7. INDIA PREFERRED TWO-STAGE APPROACH LIKE ITALY AND CANADA AS ALLOWING TIME TO CONSULT GOVERNMENTS. (HOWEVER, THREE HOURS LATER HE INTERVENED TO THE EFFECT THAT HE SAW OCTOBER/NOVEMBER/DECEMBER AS THE THREE-MONTH PERIOD COVERED BY RULE 6 AND BY THAT TIME NO ONE FELT INCLINED TO ENLIGHTEN HIM.)

8. PAKISTAN (AS USUAL) FULLY SUPPORTED CHINA AND PROCEDURALLY WOULD GO ALONG WITH APPENDIX B IF IT WAS UNDERSTOOD THAT ALL STATES COULD NOMINATE; OTHERWISE, WOULD PREFER APPENDIX C, OR A TWO-STAGE APPROACH. HE STRONGLY SUPPORTED CHINA'S REQUEST FOR "POLICY REVIEW" BEFORE BINAGHI LEAVES. CHINA RESPONDED TO THIS DISCUSSION SUPPORTING INTERVENTIONS OF CANADA, JAPAN AND KENYA PARTICULARLY , AND INDICATED HE WOULD GO ALONG WITH 3.B) IF TWO-STAGE PROCEDURE ENVISIONED. GERMANY MOVED FOR THE 4:30 COFFEE BREAK ALTHOUGH IT WAS ONLY 3:30. THE CHAIR PREFERRED TO CONSIDER PARA 3 IN WP FIRST, IN HOPE OF RECEIVING A FORMAL PROPOSAL.

9. YUGOSLAVIA WOULD SUPPORT B) IF LAST TWO LINES WERE MODIFIED TO INVITE NOMINATIONS. NIGERIA IN EFFORT TO BRING SOME ORDER TURNED DISCUSSION TO SUBPARA'S OF PARA 3 POINTING OUT THAT 3.A) WAS "OUT" WHICH SEEMED TO BE THE ONLY THING THAT ALL MEMBERS AGREED ON. HE THEN RE-OPENED CONSIDERATION 3.B) AND THE IMPLICIT/EXPLICIT PROBLEM. HE WAS NOT FOR TWO-STAGE APPROACH BECAUSE "FAR AWAY STATES" CANNOT RECEIVE COMMUNICATIONS IN TIME.

10. IN FIRST INTERVENTION, ARGENTINA REFERRED TO "SPIRIT OF RULE 6", DECLARING THAT ALL STATES SHOULD BE INFORMED AND THAT THE LIMITED OFFICIAL USE

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NOTION OF THREE MONTHS NOTICE MIGHT BE COVERED BY A TWO-STAGE APPROACH. HE RECALLED THAT COUNCIL WILL MEET END OF SEPTEMBER ON SOMETHING ELSE AND COULD TAKE A SECOND-STAGE DECISION THEN IF NECESSARY. ITALY WENT ALONG WITH SUCH AN APPROACH.

11. BRAZIL, ARGENTINA, AND ITALY OPENED ANOTHER PHASE OF DISCUSSIONS BY REFERRING TO THE NEED FOR A "CAUTIOUS APPROACH". SENEGAL TOOK EXCEPTION ASKING HEATEDLY WHAT THE "DANGER" WAS. ARGENTINA RESPONDED THAT "CAUTION" DID NOT NECESSARILY ENVISION "DANGER"; AND THAT MANY MEMBERS WERE SIMPLY CONCERNED ABOUT OBTAINING BEST QUALIFICATIONS AND MOST EFFECTIVE CANDIDATES. ITALY FINALLY RESPONDED MORE DIRECTLY AND POINTED OUT MANY PROBLEMS THAT WOULD ENSUE IF COUNCIL RECEIVED FOR EXAMPLE 30 CANDIDATES. AT THIS POINT BRAZIL MADE FORMAL PROPOSAL FOR ADOPTING ALTERNATE PROCEDURE B) PARA 3. FROM THIS POINT ON CON-

SIDERABLE CONFUSION PREVAILED AND THE DISCUSSIONS SOMEHOW MOVED
FROM 3.B) TO THE TEXT IN APPENDIX B WITHOUT ANYONE TAKING NOTE
INCLUDING THE CHAIR.
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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-06 EA-06 NEA-10 IO-10

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P 202001Z JUN 75

FM AMCONSUL MONTREAL

TO SECSTATE WASHDC PRIORITY 6417

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FROM USREP ICAO

12. DURING COFFEE BREAK EFFORTS WERE MADE TO FIRM UP, ESPECIALLY
BY LATIN AMERICAN LEADERS, AND THERE WAS TALK OF A REQUEST FOR
STATUTORY MAJORITY BUT THIS BECAME ENTANGLED WITH TALK OF
DEFEATING ANY EFFORT TO AMEND BRAZIL PROPOSAL OR TEXT OF APPENDIX B.

13. SENEGAL INTERVENED TO SAY HE WOULD ABSTAIN ON BRAZIL
PROPOSAL BECAUSE HE WAS NOT CONVINCED THAT THE RIGHT TO NOMINATE
WAS IMPLICIT IN THE LETTER. LEBANON GAVE HELPFUL INTERVENTION
(AS USUAL) TRYING TO THROW COUNCIL BACK TO PARA 3.B) AND POINTING
OUT THAT APPARENTLY THE PARENTHETIC EXPRESSION (LIMITING THE LETTER
TO "ONLY COUNCIL MEMBER STATES") SHOULD BE CROSSED OUT. SPAIN
DISCOVERING WHERE DISCUSSION WAS, SPOKE ON BEHALF OF B) AND E),
AGREEING WITH BOTH, WHICH WAS NOT EASY SINCE THEY REPRESENT THE
TWO OPPOSING POSITIONS. HE LATER EXPLAINED SAYING HE BELIEVES
THAT ALL STATES CAN NOMINATE UNDER B) AS WELL AS E).

14. CANADA PURSUING HIS "LOW PROFILE" APPROACH, REVERTED TO

DISCUSSING TEXT OF LETTER IN APPENDIX B AND SUGGESTED ADDING CONCEPT OF "NOMINATIONS" TO THE LAST LINE. UNFORTUNATELY THIS GAVE CHINA AN OPPORTUNITY AND HE TOOK IT BY SUPPORTING CANADA AND FORMALLY PROPOSING AMENDMENT TO DRAFT B BY INSERTING AFTER LIMITED OFFICIAL USE

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"TO PROCEED" THE FOLLOWING PHRASE: "WITH OBTAINING NOMINATIONS AND THEN PROCEED ETC.". FORMALLY SUPPORTED BY CANADA, KENYA, SENEGAL, NIGERIA, PAKISTAN, AUSTRALIA.

15. ARGENTINA REQUESTED A RULING FROM CHAIR AS TOWHETHER THIS PROPOSAL WAS AN "AMENDMENT" OR PROCEDURALLY AN "ALTERNATIVE". CHAIR (AFTER HAVING ACCEPTED THE PROPOSAL AND SEVERAL FORMAL SUPPORTS) RULED THAT IT WAS AN "ALTERNATIVE" TO BE VOTED ON IF FIRST PROPOSAL FAILED. THIS IMMEDIATELY BROUGHT ON VERY EFFECTIVE COMPLAINTS FROM BOTH SIDES -- THOSE WHO HAD CONTENDED THAT RIGHT TO NOMINATE WAS IMPLICIT IN DRAFT LETTER B AND THOSE WHO DIFFERED, BECAUSE IF "EXPLICIT" APPROACH WAS AN "ALTERNATIVE" THEN SURELY IMPLICIT APPROACH COULD NOT AUTOMATICALLY BE PART OF LETTER. NIGERIA, SENEGAL, AND PAKISTAN CONTESTED THE RULING BUT NO ONE CHALLENGED CHAIR, WHICH REQUIRES MAJORITY TO OVER RULE. ITALY "FOUND THE WHOLE THING CONFUSING" BUT CHANGED THE SUBJECT.

16. SWEDEN PROPOSED AN AMENDMENT TO DRAFT LETTER SPECIFYING DATES FOR PERIOD OF ELECTION: -- "AFTER THE FIRST OF NOVEMBER, BUT NOT LATER THAN THE FIRST OF DECEMBER". GERMANY FORMALLY SUPPORTED.

17. INDIA INERVENED ASKING WHEN THE COUNCIL WAS GOING TO DECIDE ON PROCEDURE FOR ELECTING THE PRESIDENT. THE SECGEN SAVED THE DAY BY EXPLAINING SIMPLY WHAT WILL HAPPEN IN THE FALL: SECGEN WILL COME TO COUNCIL WITH A WORKING PAPER IN NOVEMBER LISTING ALL CANDIDATES THAT HAVE BEEN "SUGGESTED". DATE WILL BE SET FOR COUNCIL TO MEET AND VOTE. ON THAT DATE A CANDIDATE WILL HAVE TO BE FORMALLY PROPOSED BY A COUNCIL MEMBER IN COUNCIL IN ORDER TO BE VOTED ON. (THIS WAS NOT WHAT INDIA HAD IN MIND BUT IT ANSWERED EVERYONE ELSE'S QUESTION.

18. SWEDEN AGREED TO CHANGE DATES TO 1 NOV AND 19 DEC TO COINCIDE WITH COUNCIL SESSIONS AND CHAIR PRPARED TO GO TO VOTE. TWO OR THREE COUNCIL MEMBERS ASKED WHETHER OR NOT THE PROPOSERS (BRAZIL AND ARGENTINA) OF APPENDIX B HAD ACCEPTED THE AMENDMENT PROPOSED BY SWEDEN. PROPOSERS WHO HAD BEEN NODDING ENTHUSIASTICALLY FOR SOMETIME, THEN FORMALLY INDICATED ACCEPTANCE. BUT THE CHAIR INSISTED ON A VOTE OVER THE AUDIBLE OBJECTIONS OF SEVERAL MEMBERS AND IN SPITE OF VERY STRAINED LOOK ON SECGEN'S FACE. (AN AMENDMENT, WHEN ACCEPTED BECOMES AN INTEGRAL PART OF BASIC PROPOSAL.) THE VOTE ON THE SWEDISH AMENDMENT WAS 16/0/6 (US).
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19. USSR REP INTERVENED FOR FIRST TIME ASKING WHERE WE WERE IN THE WORKING PAPER -- IN WHAT PARAGRAPH, AND WHAT DECISIONS WERE BEING TAKEN. HE POINTED OUT THAT IT IS CUSTOMARY FOR COUNCIL TO MOVE SEQUENTIALLY THROUGH WP'S FINALLY ARRIVING AT ACTION PARAGRAPH AND DECISION-MAKING PROCESS. (THIS MEETING HAD NOT GOTTEN BEYOND PAGE 1). CHAIR RESPONDED BY STATING THAT THERE WAS PROPOSAL TO ADOPT APPENDIX B WITH AN AMENDMENT, (WHICH HARDLY ANSWERED THE QUESTION.) SENEGAL TOOK UP THE PROCEDURE COMPLAINT AND SUGGESTED THAT COUNCIL TAKE EACH PARAGRAPH IN THE PAPER AND THEN THE ACTION PARAGRAPHS. SECGEN ENDEAVOURED AGAIN TO BRING ORDER. CHINA ENDEAVOURED TO HELP BY POINTING OUT THAT BRAZIL'S PROPOSAL ENCOMPASSED THE ACTION PARAGRAPHS AND THAT HIS "ALTERNATIVE" PROPOSAL FOR PARA 3.E) WOULD FORMALLY ENCOMPASS THE ACTION PARAGRAPHS ALSO. (SINCE HIS "ALTERNATIVE" HAD NEVER REFERRED TO 3.E), THIS ADDED ANOTHER DIMENSION).

20. AT THIS POINT ARGENTINA, EXASPERATED, MADE FORMAL PROPOSAL BASED ON ACTION PARA 7 THAT COUNCIL A) PLACE THIS ITEM ON IT'S WORK PROGRAMME, B) AGREE ACTION SHOULD BE STARTED TO ELECT A NEW PRESIDENT, AND C) DECIDE ON WHICH PROCEDURE TO FOLLOW. COLOMBIA, QUICKLY SECONDED STATING HOWEVER THAT HE DID NOT CONSIDER PROPOSAL NECESSARY. CHAIR IGNORED THE FACT THAT THERE WAS A FORMAL, DULY SUPPORTED PROPOSAL ALREADY ON FLOOR FROM BRAZIL. SOVIET UNION EXPRESSED DISMAY. AT 6 P.M. THERE WAS A VOTE, APPARENTLY ON AN OVER-SIMPLIFIED ARGENTINA PROPOSAL: "THOSE IN FAVOR OF TAKING SOME ACTION". VOTE WAS 26 (US)/0/INDONESIA ABSTAINING. THIS WAS ONLY PARTICIPATION BY US IN ENTIRE MEETING. BUT US REP FELT IT WAS REASONABLY SAFE TO VOTE FOR "TAKING SOME KIND OF ACTION".

21. BY 6:30 BRAZIL PROPOSAL AS AMENDED WENT TO VOTE WITH MANY STATES THINKING THAT SOME ONE HAD REQUESTED A STATUTORY MAJORITY (16) ON SOMETHING OR OTHER. VOTE WAS 14 FOR 0 AGAINST 14 ABSTENTIONS. (AUSTRALIA, CHINA, CZECHOSLOVAKIA, EGYPT, INDONESIA, JAPAN, KENYA, MOROCCO, NIGERIA, PAKISTAN, SENEGAL, US, USSR, YUGOSLAVIA). ABSTENTIONS WERE CALLED SO FAST THAT SECRETARY COULD NOT GET COUNT MUCH LESS NAMES, AND RE-COUNT ENSUED. SOVIET UNION DECLARED AUDIBLY THAT WE COULD NOW MOVE TO THE CHINA "ALTERNATIVE" BECAUSE BRAZIL PROPOSAL HAD FAILED. (APPARENTLY THINKING THE VOTE HAD FAILED TO RECEIVE STATUTORY LIMITED OFFICIAL USE

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MAJORITY). UNFORTUNATELY THIS REMINDED GERMANY OF CHINA'S PROPOSAL FOR POLICY REVIEW AND HEASKED WHEN WE COULD EXPECT THE "PRELIMINARY WORK". CHAIR RESPONDED THAT IT WOULD NOT BE DIRECT OUTCOME OF PRESENT DISCUSSIONS BUT WOULD BE FOLLOWED UP BY

PRES/COUNCIL.

22. SOME MEMBERS COMMENTED AFTER MEETING THAT CONDUCT OF MTG HAD SERVED PURPOSE OF EMPHASIZING IMPORTANCE OF HAVING CAPABLE PRES.

23. FYI. US DID NOT INTERVENE, AND ABSTAINED IN BOTH SUBSTANTIVE VOTES. USREP CONSIDERS THAT IT WAS MOST UNFORTUNATE THAT WE HAD NO POSITION AND ONLY BRIEF INSTRUCTIONS TO ABSTAIN. ALL OTHER COUNCIL MEMBERS INTERVENED AND PLAYED ACTIVE ROLE, WITH OUTSTANDING LEADERSHIP AND EFFECTIVE INTERVENTIONS COMING FROM NEWEST MEMBER, CHINA. WE MUST BEGIN PREPARING CLEAR OBJECTIVES, AND THOROUGH POSITIONS FOR THIS TRANSITION PERIOD WHICH IS LAND-MARK IN ICAO HISTORY OR WE WILL SOON BE REMOVED FROM ANY EFFECTIVE ROLE IN CHAIN OF EVENTS.

24. MOROCCO WITHHELD ANY MENTION OF HIS REORGANIZATION SCHEME (REFTEL B) WHICH OBVIOUSLY WAS NOT NECESSARY SINCE CHINESE PROPOSAL CLEARLY ENCOMPASSES THAT AREA. PRC HAS BEEN WORKING HARD ON ELECTION OF NEW PRESIDENT, AND US REP HAS BEEN ADVISED BY SEVERAL COUNCIL MEMBERS THAT CHINA IS EXPRESSING INTENTION OF "PLAYING VERY IMPORTANT ROLE" IN THE SELECTION OF NEW PRESIDENT.

25. LEBANON REP HAS ASSURED US REP INFORMALLY THAT A) ALL THREE ARAB COUNCIL MEMBERS ARE TOGETHER ON SUPPORTING SECGEN KOTAITE IF MAJOR AVIATION STATES DECIDE THEY WILL GO ALONG WITH HIM IF NOMINATED. LEBANON REP LEAVING FOR MID-EAST ON RECESS/COUNCIL JUNE 27 AND WILL CONSULT THROUGH HIS GOVERNMENT WITH ALL MAJOR ARAB STATES ON BLOC CONSENSUS FOR KOTAITE IF NOMINATED.

26. HEARIN KOTAITE RUMOR IN SECRETARIAT, DIRECTOR, AIR NAV BUREAU (US) HAS EXPRESSED CONCERN TO US REP THAT KOTAITE (SECGEN) WOULD BRING TO PRESIDENCY NO TECHNICAL AVIATION EXPERIENCE. HE WOULD BE REPLACED AS SECGEN BY ADMINISTRATION/MANAGEMENT-ORIENTED INDIVIDUAL UNDOUBTEDLY WITHOUT TECHNICAL AVIATION EXPERIENCE. FOR FIRST TIME IN ICAO THERE WOULD BE NO AVIATION EXPERTISE AT TOP MAKING AIR NAV DIRECTOR'S JOB MORE DIFFICULT. LIMITED OFFICIAL USE

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THIS ASPECT DISCUSSED IN PARA 8 REFTTEL C. END FYI.
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